Remarks

This paper is being filed in response to the Office Action mailed December 24, 2003. Claims 1-12 are pending. Claims 5 and 7 have been amended.

The Examiner has objected to applicant's specification because of certain informalities. Applicant has amended the specification to correct the informalities noted by the Examiner as well as additional minor errors noted in a detailed study thereof, as required by the Examiner, thereby obviating the Examiner's objection.

The Examiner has objected to applicant's claims 5 and 7 because of certain informalities. Particularly, the Examiner has argued that the limitation "the driving member" in claims 5 and 7 lacks sufficient antecedent basis. Applicant has amended claims 5 and 7 to replace "driving member" with "lens holding member," thereby obviating the Examiner's rejection with respect to these claims.

The Examiner has rejected applicant's claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by Kato et al. (U.S. Patent No. 5,602,607). This rejection is respectfully traversed.

In the lens apparatus according to independent claim 1, a driving member (barrier ring 181) rotates in one direction and moves to a position corresponding to the open position of the barrier member by an energizing member (opening spring 182), which energizes in one direction. The driving member also rotates in another direction to move the barrier member to a closed position. on (first cam face 147n). In addition, a barrel (second rectilinear barrel 147) has a first guide portion (second cam face 147p) so that the driving member is forced to rotate in one direction and moves to a position corresponding to the open position in case the energizing member cannot energize, such as when the energizing member is clogged with

dirt, and a second guide portion (first cam face 147n) for rotating the driving member in the other direction. (Application, par. [0169]-[0176], pgs. 41-43).

Independent claim 3 recites a first guide portion of a barrel rotates a driving member in one direction and a second guide portion of a barrel rotates the driving member in another direction. (Application, par. [0214]-[0220]). Independent claims 5 and 7 recite a lens holding member (lens holder 402) rotates in one direction and another direction by a first guide portion (second lens cam face 147u) and a second guide portion (first lens cam face 147t) of the barrel (see, FIGS. 23-25). Finally, independent claim 11, recites a structure in which a first guide portion is formed along a second guide portion.

Such constructions are not taught or suggested by the cited Kato, et al. patent. In particular, with respect to this patent, the Examiner has argued that Kato et al. discloses a lens apparatus having all the features of the present invention, including a "first guide portion" that rotates the driving member (or lens holding member) in one direction around an optical axis, and a "second guide portion" which rotates the driving member (or lens holding member) in a second direction. In support of this argument, the Examiner points to cam surface 39a in Figs. 10, 13 and 15 and to the description at col. 21, lines 31-42 of the patent.

Applicant disagrees. Kato et al. teach that barrier members 36 are opened and closed by a cam surface 39a and spring 40. More particularly, as shown in Fig. 13 and described in col. 19, line 50-col. 20 line 28 and col. 21, line 14-col. 22, line 20, the engagement of a sole guide portion, i.e., the cam surface 39a, with the cam lever 38 results in opening and closing of the barriers. There is, therefore, no teaching or suggestion of first and second guide portions in Kato, et al. as required by all of applicant's independent claims.

Again, this is clearly evident from FIG. 13 which shows that the opening/closing cam 39 as having the sole cam surface 39a with none of the other surfaces being in a form to function as cam, i.e. the portion of the opening/closing cam 39 which faces the cam surface 39a is shown as having a first straight segment with respect to the direction of motion and a second straight segment perpendicular to the first. Moreover, the fact that Kato et al. teach that cam surface 39a may be formed with surface contours other than a curved surface (Col. 21, lines 38-41) still limits Kato, et al to teaching a sole guide portion, i.e., cam surface 39a, and not first and second guide portions, as recited in all applicant's independent claims 1,3, 5, 7 and 11.

With regard to claims 2, 4, 6 and 8, which depend from independent claims 1, 3, 5 and 7 respectively, a third guide portion is formed in order to guide the driving member to the second guide portion. This feature also is different from the cam surface 39a of Kato et al.

Applicant's independent claims 1, 3, 5, 7 and 11, and their respective dependent claims, thus patentably distinguish over Kato et al.

In view of the above, it is submitted that claims 1-12 patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 682-9640.

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